

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

ELISHA SHEPHERD,

Plaintiff,

vs.

MILTON J. JAKEWAY and the UNITED
STATES OF AMERICA,

Defendants.

Case No. 3:01-cv-00333-JKS

SPECIAL VERDICT FORM

WE THE JURY in the above titled case, find from a preponderance of the evidence as follows:

On Plaintiff's first claim — violation of civil rights on November 18, 2000:

1. That Milton Jakeway's conduct in viewing the subject videotape caused Elisha Shepherd to suffer harm.

(Circle one)

Yes

/

☒ No

If you answer "yes", go to question number 2. If you answer "no", go to number 3.

2. The amount that will fairly compensate Elisha Shepherd for the harm caused by Milton Jakeway's actions:

(a) loss of enjoyment of life:

\$ _____

(b) physical and emotional pain, embarrassment, humiliation, and anguish:

\$ _____

(c) past medical and counseling services:

\$ _____

(d) future counseling expenses that she is reasonably likely to incur:

\$ _____

Go to question number 4.

3. That no actual harm occurred and nominal damages are awarded in the amount of \$1.00.

(Circle one) ☒ Yes

Go to question number 4.

4. That Milton Jakeway acted with malice or reckless indifference to Elisha Shepherd's rights in viewing the subject videotape.

(Circle one) Yes / ☒ No

If you answer "yes", go to question number 5. If you answer "no", go to number 7.

5. If you answered "yes" to question number 4, do you elect to award punitive damages?

(Circle one) Yes / ☐ No

If you answer "yes", go to question number 6. If you answer "no", go to number 7.

6. If you answered "yes" to question numbers 4 and 5, the amount that will fairly punish Milton Jakeway for his conduct is:

\$ _____

On Plaintiff's second claim — intentional infliction of emotional distress:

7. That the videotape Milton Jakeway found in Elisha Shepherd's bedroom and viewed in the morning of November 18, 2000, was labeled, in part, "Charlie and Elisha making love."

(Circle one) Yes / ☒ No

Go to question number 8.

8. That Milton Jakeway intentionally inflicted severe emotional ~~and~~ distress on Elisha Shepherd in viewing the subject videotape.

(Circle one) Yes / ☒ No

If you answer "yes", go to question number 9. If you answer "no", have the foreperson date and sign the form.

9. The amount that will fairly compensate Elisha Shepherd for intentional infliction of emotional distress is:

\$ _____

Dated at Anchorage, Alaska, this 4th day of December, 2006.

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JURY FOREPERSON